

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BENJAMIN ALLEN SWITEK,
Plaintiff,

v.

MIDLAND COUNTY,
Defendant.
_____ /

Case No.: 21-12711

Matthew F. Leitman
United States District Judge

Curtis Ivy, Jr.
United States Magistrate Judge

ORDER DIRECTING SERVICE ON MIDLAND COUNTY

Plaintiff filed this prisoner civil rights lawsuit, without the assistance of counsel, on October 28, 2021. (ECF No. 1). He is proceeding *in forma pauperis*. (ECF No. 7). On May 5, 2022, the United States Marshal Service (“USMS”) acknowledged receipt of waiver of service of process documents for defendant Midland County. (ECF No. 11). To date, Midland County has not returned the waiver of service document or otherwise appeared in this matter. The Court concludes that Midland County is not waiving formal service of the summons and complaint.

The USMS is **DIRECTED** to serve Midland County with a summons and copy of the complaint in accordance with Michigan Court Rule 2.105(G)(1). Specifically, USMS may either (1) personally serve the Midland County Clerk with the summons and a copy of the complaint, **or** (2) it may serve the summons and a copy of the complaint on a person in charge of the office of the Midland

County Clerk **and** mailing a summons and copy of the complaint by registered mail addressed to the officer at his or her office.

IT IS SO ORDERED.

The parties here may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d).

Date: August 17, 2022

s/Curtis Ivy, Jr.
Curtis Ivy, Jr.
United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court's ECF System or by First Class U.S. mail on August 17, 2022.

s/Kristen MacKay
Case Manager
(810) 341-7850